

Pauley, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

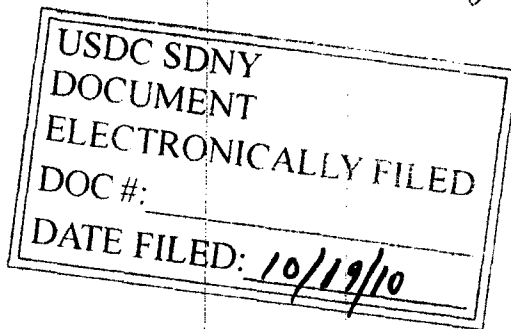
NEIL SANCHEZ, EDMIR DYMLEKU, MILAZIM
KUKAJ, ANISSA ROSADO, OSCAR BIANCHI, and
BENJAMIN BYLAND, on behalf of themselves and
all others similarly situated,

Plaintiffs,

-against-

JJJ & R CORP. d/b/a BOBBY VAN'S STEAKHOUSE,
J. CALDWELL CORP. d/b/a BOBBY VAN'S
STEAKHOUSE, C. SMITH CORP. d/b/a
BOBBY VAN'S STEAKHOUSE, HERBERT STREET,
LLC d/b/a BOBBY VAN'S STEAKHOUSE,
JOSEPH SMITH, RICK PASSARELLI,
VINCENT ALESSI, PHIL LARUSIC, JOSEPH PHAIR
and JOSEPH HICKEY,

Defendants.



09 Civ. 7522 (WHP)

STIPULATION OF
DISMISSAL OF PLAINTIFF
ANTHONY FRASCONI

ECF CASE

Pursuant to Rule 41 of the Federal Rules of Civil Procedure and in accordance with the
request of plaintiff Anthony Frascione, the undersigned counsel for the defendants and plaintiff
Anthony Frascione hereby stipulate that plaintiff Anthony Frascione shall be dismissed from this
action without prejudice and without costs to each party.

Dated: New York, New York
August 11, 2010

Berke-Weiss & Pechman LLP

By: Louis Pechman, Esq.
488 Madison Avenue, 11th Fl.
New York, NY 10022
(212) 583-9500
Attorneys for Plaintiffs

Littler Mendelson, P.C.

By: Theo E.M. Gould, Esq.
900 Third Avenue
New York, NY 10022
(212) 583-9600
Attorneys for Defendants

Anthony Frascione

By: Anthony Frascione
16 Nathan Place
Huntington Station, NY 11246
(631) 824-7349

SO ORDERED:

WILLIAM H. PAULEY III U.S.D.J.

10/18/10

SO ORDERED:

Hon. William H. Pauley III

B.C